

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA,)	C/A NO.: 6:22-cv-00445-HMH
)	
Plaintiff,)	
)	
vs.)	
)	
\$99,980.00 IN UNITED STATES)	
CURRENCY,)	
)	
Defendant <i>in Rem</i> .)	

ORDER GRANTING DEFAULT JUDGMENT,
AND GRANTING JUDGMENT AND DECREE OF FORFEITURE

This *in rem* forfeiture action was initiated through a Complaint for Forfeiture *In Rem* filed on February 11, 2022. It concerns \$99,980.00 in United States currency, (the “Defendant Currency”) seized for forfeiture on October 5, 2021 by officers of the United States Customs and Border Protection (“CBP”). The complaint alleges that the Defendant Currency constitutes or is traceable to property that was furnished or intended to be furnished in exchange for controlled substances and proceeds traceable to such an exchange and is therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

It appears that a copy of the Complaint and the Notice of Forfeiture Action were served upon the known potential claimants Juan Pablo Cifuentes Montoya and Richard Adame pursuant to Supplemental Rule G(4)(b), Fed. R. Civ. P.; that publication has been lawfully made in this matter; that lawful notice was given to all potential claimants, known or unknown, either through direct notice, or through publication; that no Claims, Answers, or other responsive pleadings have

been filed in response to such notice; that no extensions to the applicable time limits have been requested, consented to, or granted by this Court; and, that the Clerk of Court has entered default against all known and unknown potential claimants, pursuant to Rule 55(a), Fed. R. Civ. P. Accordingly, the Court finds and concludes as follows:

1. That process was lawfully executed in this action and returned according to law;
2. That the Defendant Currency was lawfully arrested pursuant to the warrant of arrest *in rem*, pursuant to Rule G(3);
3. That public notice of this forfeiture action was lawfully made on an official government internet forfeiture website for a period of at least 30 consecutive days, pursuant to Rule G(4)(a)(iv)(C);
4. That Juan Pablo Cifuentes Montoya and Richard Adame, the known potential claimants, have received direct notice of this action pursuant to Rule G(4)(b);
5. That Juan Pablo Cifuentes Montoya and Richard Adame have failed to file a Claim, Answer, or other responsive pleading in this action, as required by Rule G(5);
6. That no other person or entity has filed a Claim, Answer, or other responsive pleading within the time fixed by law; and
7. That the allegations of the Complaint are taken as admitted.

NOW THEREFORE, based upon the above findings, and the court being otherwise fully advised, it is hereby ORDERED, ADJUDGED, AND DECREED that:

1. All persons claiming any right, title or interest in or to the Defendant Currency are hereby held in default, and any right, title, or interest in the Defendant Currency on the part of any claimants or third parties are extinguished and forever barred.

2. Default Judgment shall be entered by the Clerk of Court against the Defendant Currency, and in favor of the United States.

3. Pursuant to 21 U.S.C. § 881 and 18 U.S.C. § 981(b), the Defendant Currency is hereby forfeited, condemned, quit-claimed, and abandoned to the United States of America.

4. Clear title in and to the Defendant Currency is vested in the United States of America, and no other right, title or interest exists therein. All other claims to the Defendant Currency are hereby forever foreclosed and barred.

5. The \$99,980.00 in United States Currency forfeited herein shall be disposed of by the United States as authorized by law.

IT IS SO ORDERED.

s/ Henry M. Herlong, Jr.
Senior United States District Judge

April 26, 2022
Greenville, South Carolina